IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 658 of 2002 (M/B)

1. Captain Kamaal Pasha Khan,
   S/o Abdul Mujib Khan,
   12 Corps, Signal Regiment,
   C/o 56 APO.
2. Abdul Mujib Khan S/o Abdul Latif Khan
3. Ms. Salma Khan @ Rabbi Khan.
   W/o Abdul Mujib Khan.
4. Jammal Pasha Khan S/o Abdul Mujib Khan,
   Petitioners Nos. 2, 3 & 4
   R/o 41, Mitra Niwas Colony,
   Ratlam, M.P. …… Petitioners

Versus

1. State of Uttaranchal,
   through Secretary, Home.
2. Station House Officer,
   Police Station Rajpur, Dehradun.
3. Shahina Khan D/o Sayed Akhtarul Mulk,
   R/o 142/7, Doon Apartment,
   Jakhan, P.S. Rajpur,
   Dehradun, at present Royal Palace,
   Alkapuri, Kursi Road, Lucknow. …… Respondents

Mr. Davesh Bishoni, Advocate for the petitioners.
Mr. D.K. Sharma, Government Advocate for respondents Nos. 1 and 2.
None for respondent No. 3.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. M.M. Ghildiyal, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Davesh Bishnoi, Advocate for the petitioners.

Mr. D.K. Sharma, Government Advocate for respondents Nos. 1 and 2.

None for respondent No. 3.

2. Mr. D.K. Sharma, the learned Government Advocate for respondent Nos. 1 and 2 submits that the writ petition filed by the petitioners seeking quashing of the First Information Report and the case registered against them has, now, become infructuous, as the Police, after the completion of the investigation, has filed charge sheet against the petitioners before the concerned Magistrate.

3. In this view of the matter, the writ petition is dismissed as infructuous.

4. With the above order, CLMA No. 7845 of 2002 also stands disposed of.

(M.M. Ghildiyal, J.) **(Rajeev Gupta, C.J.)**
12.05.2006 **12.05.2006**

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